

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

WASHINGTON STATE DEPARTMENT
OF TRANSPORTATION

Defendants.

Case No. C08-5722RJB

AMENDED AND SUPPLEMENTAL
FINDINGS OF FACT AND
CONCLUSIONS OF LAW

At the conclusion of trial in this matter, the court made oral findings of fact and conclusions of law in accord with Federal Rule of Civil Procedure 52. Having considered supplemental briefing of the parties, and being further advised, the court now amends and supplements the oral findings of fact and conclusions of law that were transcribed and are filed as Document No. 196.

The court makes the following amendments:

At page 9, lines 9 and 10, the words "from the uplands into the Foss and Wheeler Osgood waterways" are stricken and substituted therefore are the following words, "into the City of Tacoma storm sewer system."

At page 14, line 14, the words "and ground water" are stricken.

At page 15, line 1, the words "Exhibit 910" are stricken and substituted therefore are the words "Exhibit A-910."

At page 17, line 5, the words "and ground water" are stricken.

1 The court makes the following supplemental findings of fact and conclusions of law:

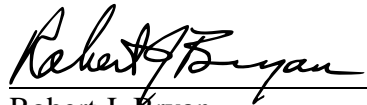
2 “The 1995 NPDES permit, which covered defendants’ storm water discharges, was issued
3 on July 5, 1995, and went into effect on August 4, 1995. (Exh. 216).

4 The amount of response costs for which defendant is responsible is \$9,343,765.00.”

5 **IT IS SO ORDERED.**

6 The Clerk of the Court is instructed to send uncertified copies of this Order to all counsel of
7 record and to any party appearing *pro se* at said party’s last known address.

8 DATED this 4th day of April, 2011.

9
10 
11 Robert J. Bryan
United States District Judge